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REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed March 4, 2004. In the Office Action, claims 1-39 were rejected under 35 U.S.C. §103(a). Applicants respectfully traverse the rejection and request reconsideration and withdraw of the §103(a) rejection in light of the amendments and remarks made herein.

Specification

The title has been amended to “”. Withdrawal of the objection is respectfully requested.

Rejection Under 35 U.S.C. § 103

Claims 1-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McCrory (U.S. Patent No. 6,640,289) in view of Baumgartner (U.S. Patent No. 6,344,177). Applicants respectfully traverse the rejection because a prima facie case of obviousness has not been established.

As the Examiner is aware, when evaluating a claim for determining obviousness, all limitations of the claims must be evaluated. *See In re Fine*, 873 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). Independent claims 15, 28, 34 and 37 each feature a different set of limitations, yet the Office Action rejects all of these claims based on alleged teachings of limitations set forth in claim 15. Applicants respectfully submit that a uniform rejection of claims 28, 34 and 37 based solely on the limitations found in claim 15 does not constitute a proper ground for rejection. Hence, Applicants respectfully requests reconsideration of the grounds for rejection for independent claims 28, 34 and 37 based on the limitations set forth in these claims.

With respect to independent claims 15, 28, 34 and 37, the Office Action states that McCrory “does not specifically disclose the initialization BIOS in response to hot-plug addition of the processor substrate.” *See Page 7 of the Office Action*. Applicants agree that McCrory offers no disclosure of the BIOS initializing “the [first/second] plurality of components *in*

response to hot-plug addition of the [first/second] processor substrate to the platform" (See claim 15) and "components on the first processor substrate in response to hot-plug addition of the first processor substrate before joining the running operating system" (See claim 37).

Emphasis added.

However, Applicants disagree with the Office Action that the combination of the system of McCrory and the software partition allegedly taught by Baumgartner (column 3, line 35 to column 4, line 57) identifies to an operating system of the platform that a type of device represented by the container object is a node and supports hot-plug operation. Baumgartner describe a NUMA architecture and does not provide any teachings of the BIOS being used to initialize components *in response to hot-plug addition* of a processor substrate as set forth in claims 15 and 37.

Similarly, with respect to independent claim 28, Applicants respectfully submit that neither McCrory nor Baumgartner, alone or in combination, disclose or suggest the following: a [first/second] processor substrate including a [first/second] plurality of components and a [first/second] storage device to contain a first code segment of *Basic Input/Output System (BIOS)* *that, when executed, initializing the first plurality of components in response to hot-plug addition of the [first/second] processor substrate to the platform.* Emphasis added. Baumgartner discloses the grouping of different software partitions by the operating system (OS), but not initialization of components in response to a hot-plug addition activity as claimed.

Lastly, with respect to independent claim 34, neither McCrory nor Baumgartner, alone or in combination, disclose "circuitry to support dynamic partitioning of the *platform by signaling the operating system of a hot-plug removal of the second server I/O hub and the second plurality of components to cause the operating system to configure the first scalability port switch and the second scalability port switch so as to partition the platform into a first platform including the first plurality of components and the first server I/O hub and a second platform including the second plurality of components and the second server I/O hub.*" Emphasis added.

In light of the foregoing, Applicants respectfully request that the Examiner withdraw the rejection of claims 1-39 under 35 U.S.C. § 103(a) as being unpatentable over McCrary in view of Baumgartner.

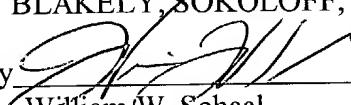
Conclusion

In view of the remarks made above, it is respectfully submitted that pending claims 1-39 define the subject invention over the prior art of record. Thus, Applicants respectfully submit that all the pending claims are in condition for allowance, and such action is earnestly solicited at the earliest possible date. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application. To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.17 is hereby made. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such account.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 06/03/2004

By: 

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06/03/2004

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Appl. No. 09/895,692
Amdt. Dated 06/03/2004
Reply to Office action of 3/4/2004
Annotated Sheet Showing Changes

Figures showing changes

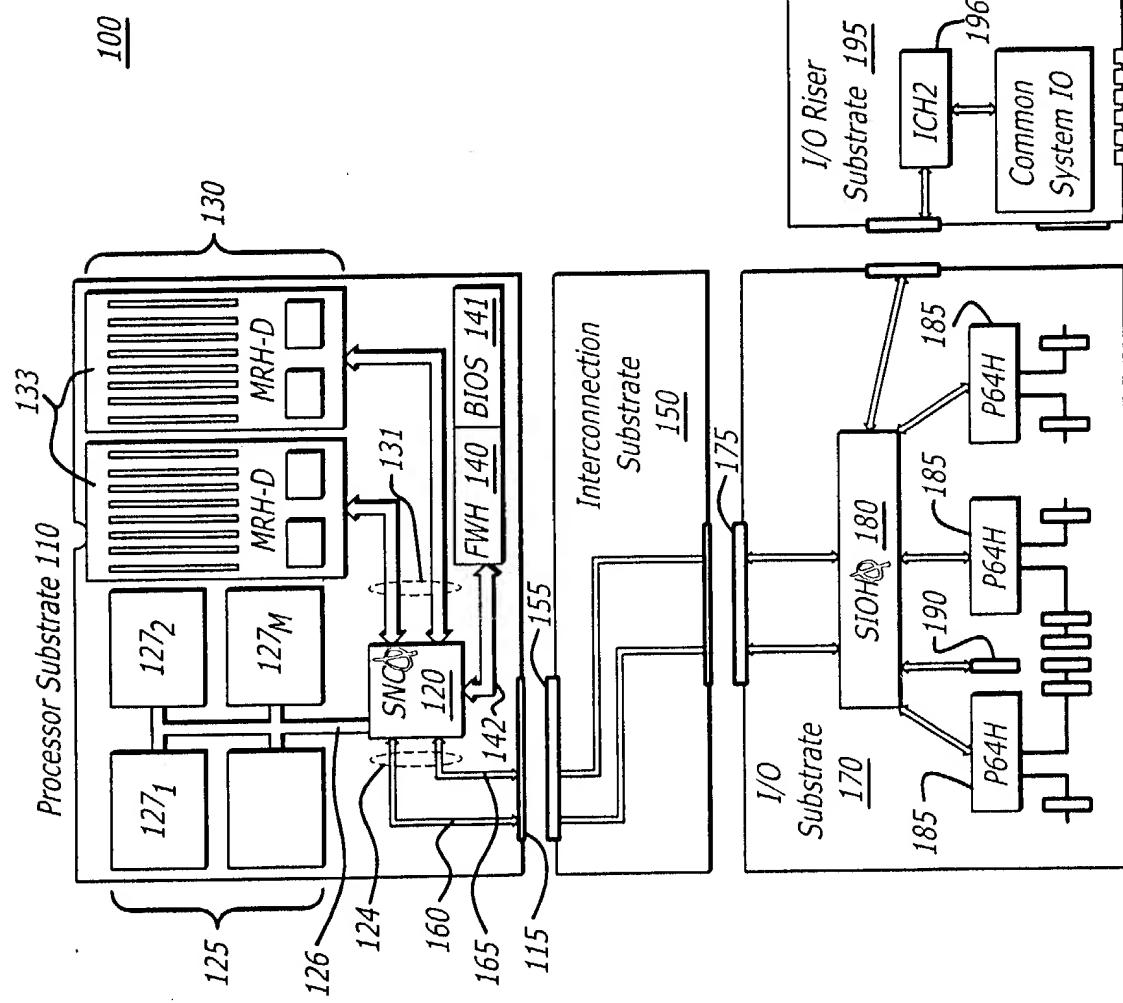
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Hot-Plugged Nodes
1st Named Inventor: Mohan J. Kumar
Application No.: 09/895,692
Sheet: 1 of 3

Docket No.: 42390P11444

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FIG. 1

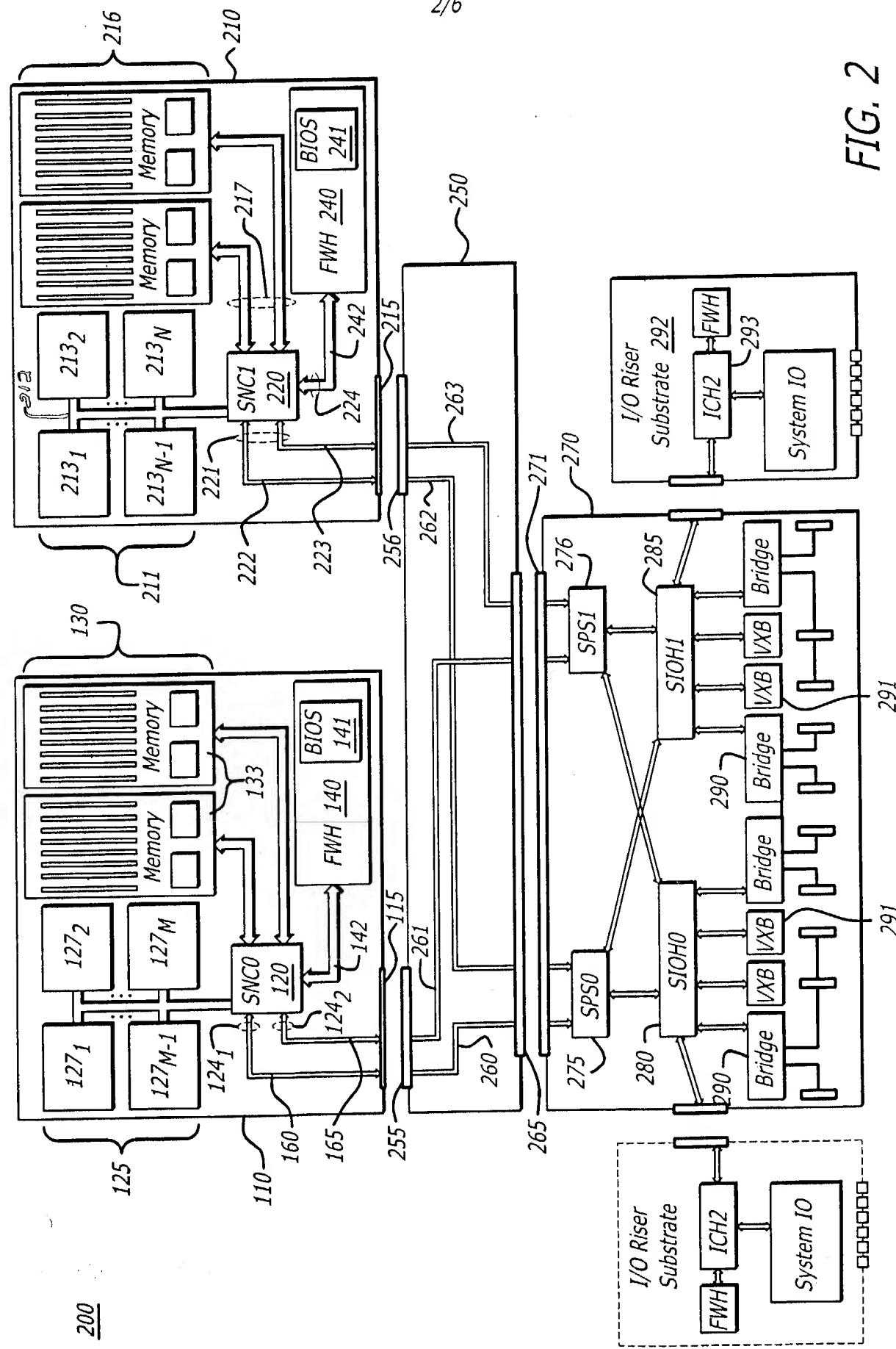


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FIG. 4

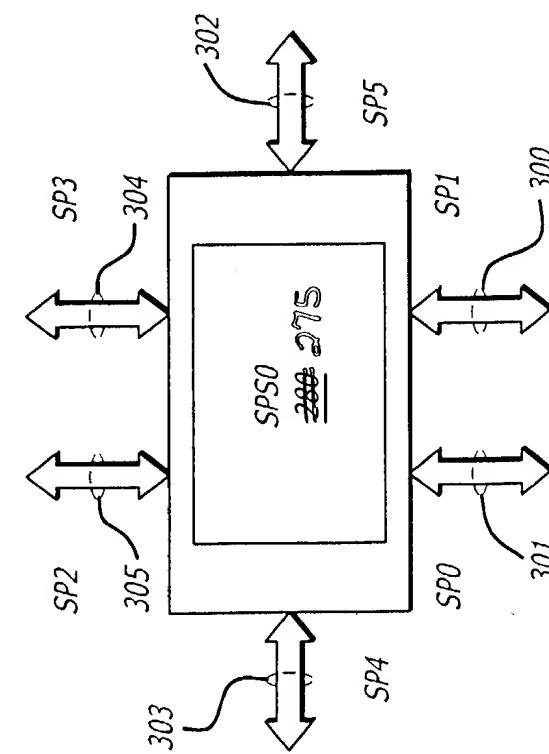


FIG. 3

